

Message Text

UNCLASSIFIED

PAGE 01 PRETOR 03128 271500Z

ACTION OPR-02

INFO OCT-01 AF-10 ISO-00 /013 W

-----098907 271622Z /43

R 271415Z JUN 77

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 7895

RINFO RUFHJO/AMCONSUL JOHANNESBURG 6906

UNCLAS PRETORIA 3128

E. O 11652: N/A

TAGS CDES, SF

SUBJECT: FREDERICK L. MORELAND

REF: STATE 146622 AND 140167.

1. EMBASSY POUCHES FS-192 (REPORT OF DEATH) ON SUBJECT TO DEPT ON JUNE 21 AND MAILED COPY TO MRS. CARFARO ON SAME DATE. CERTIFIED COPY OF STH AFRICAN BIRTH CERTIFICATES FOR CHILDREN AND NOTARIZED BIRTH INFORMATION FORMS POUCHES TO RETIREMENT BRANCH JUNE 24. EMBASSY HOPES TO BE ABLE TO POUCH REGISTRATION APPLICATION FOR PATRICIA AND REPORT OF BIRTH (FS-240) ON CHRISTOPHER JUNE 28. CERTIFIED COPIES OF BIRTH RECORDS WILL ACCOMPANY.

2. AT EMBASSY REQUEST, FIRM OF LOCAL ATTORNEYS RESEARCHED STATUS OF CHILDREN BORN OUT OF WEDLOCK HAVE NO INHERITANCE RIGHTS UNDER SOUTH AFRICAN LAW. HOWEVER, MINOR NATURAL CHILDREN DO HAVE RIGHT TO CLAIM MAINTENANCE EXPENSES FROM PARENTS ES TATE UNTIL ADULTHOOD JUST AS THEY WOULD IF PARENT STILL ALIVE. THIS RIGHT TAKES PRECEDENCE OVER CLAIMS OF OTHER ADULT HEIRS BUT NOT OF CREDITORS OF ESTATE. THERE IS NO SPECIFIC PROVISION FOR "LEGITIMATIO N" OF NATURAL CHILDREN OUTSIDE OF MARRIAGE OF PARENTS AND STATUS AS NATURAL CHILDREN (I.E. FOR MAINTENANCE CLAIMS) WOULD BE DETERMINED BY NORMAL COMMON LAW EVIDENCE. ATTORNEYS WERE OF OPINION T HAT

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NOTARIZED BIRTH INFORMATION FORM SIGNED BY SUBJECT COMPLETELY ADEQUATE TO ESTABLISH SUBJECTS RELATIONSHIP WITH NATURAL CHILDREN UNDER SOUTH AFRICAN LAW AND THAT THEY WOULD MEET DEFINITION OF " RECOGNIZED NATURAL CHILDREN". FOREGOING IS BASED ON COMMON LAW (COURT PRECEDENTS) RATHER THAN STATUTORY LAW. EMBASSY WILL ENCLOSE WITH CHILDREN'S REGISTRATION FORMS EXCERPTS FROM SOUTH AFRICAN LEGAL TEXT COVERING MOST OF ABOVE

POINTS. BOWDLER

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Message Attributes

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Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
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Subject: FREDERICK L. MORELAND
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